

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Industries & Commerce Department – Sanction of Incentives -Amendment to para 8.1.3 of the Operational Guidelines issued vide G.O.Ms.No.108 Ind. & Com.(P&I) Dept. dt.14-11-2015 – Orders – Issued.

INDUSTRIES & COMMERCE (P&I) DEPARTMENT

G.O.MS.No. 12

Dated: 21-01-2019
Read the following:-

1. G.O.Ms.No.46 Revenue Dept., dt.12-2-2015.
2. G.O.Ms.No.108, Ind. & Com. (P&I) Dept., dt.14-11-2015.
3. e-file No. NREDAP-14021/2 /2018-VC AND MD-NREDCAP of Energy, I&I Dept.
4. Lr.No.10/2018/1270/1270, dt.16-10-2018 of Commissioner of Industries.

ORDER:

In the reference 1st read above, Government have allotted land to an extent of Ac. 32.00 cts in Sy. No. 1260, 1261-1 etc. (Old Sy.No. 1199-A2) at Bhogasamudram Village of Tadipatri Mandal in favour of M/s. Gamesa Wind Turbines Pvt. Ltd., Chennai & NREDCAP, Hyderabad jointly for a period of 25 years for establishment of Wind Farms on lease basis on payment of lease rent @ 10% on prevailing market value of Rs. 1,00,000/- per acre per year, with a provision to enhance the lease amount in a 5 years block period, in terms of GO.Ms. No. 571, Revenue (Assn.I) Dept., dt. 14.09.2012, for the purpose of generation of 15.50 MW Wind energy, subject to certain conditions.

2. Based on the G.O. 1st read above, NREDCAP has entered into lease agreement with M/s.Gamesa Wind Turbine (P) Ltd., duly incorporating the capacities of Projects allotted to M/s. Ramabhadra Industries (P) Ltd, M/s.Srinivasa Cotton & Oil Mills (P) Ltd, M/s.Viswateja Spinning Mills (P) Ltd & M/s.Idupulapadu Cotton Mills (P) Ltd.

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3. Further, the NREDCAP has given advance possession of the land to a Developer company namely M/s.Gamesa Wind Turbine (P) Ltd., after following the procedures and after taking over from Revenue Dept and the Developer has created necessary Infrastructure and further offered sub-projects to the Companies namely M/s.Ramabhadra Industries (P) Ltd, M/s.Srinivasa Cotton & Oil Mills (P) Ltd, M/s.Viswateja Spinning Mills (P) Ltd and M/s.Idupulapadu Cotton Mills (P) Ltd Projects (4) four Companies which have commissioned their 2 MW and 4 MW Wind Power Projects to meet the captive power requirement for their Industries in Bhogasamudram and Talaricheruvu Villages, Tadipatri (M), Ananthapuramu District. This is as per the tripartite agreement signed between M/s Gamesa Wind Turbines Pvt. Ltd., the above four companies and NREDCAP.

4. Accordingly, these four (4) Companies have represented the NREDCAP for capital investment subsidy for Wind Power Projects as per the provisions of IDP 2015-20.

5. But, land lease Agreement/sale Agreements are required to avail the capital investment subsidy whereas, the land allotment was not made directly to the four (4) Companies. It was allotted to the developer M/s.Gamesa Wind Turbine (P) Ltd., which in turn allotted to the customers. The lease Agreement was signed between M/s.Gamesa Wind Turbine (P) Ltd., & NREDCAP wherein, the names of four (4) Companies were indicated. Since the NREDCAP is nodal agency in allotment of lands to Wind Power Projects, the Commissioner of Industries, Vijayawada was requested to exempt the said four (4) Companies from the requirement of land lease Agreement/sale Agreement assuring that NREDCAP will issue necessary undertaking/comfort letter to the Industries Dept., if required.

6. The land was jointly allotted to M/s.Gamesa Wind Turbines (P) Ltd., Chennai & NREDCAP, Hyderabad by Revenue Dept. But it was internally arranged by the NREDCAP for further allotment to the four (4) customer Companies M/s. Gamesa Wind Turbines (P) Ltd., as detailed above basing on a transfer Agreements presuming it as a Tripartite Agreement. As such, it is clear that the four (4) customer Companies will not have separate land lease Agreement/sale Agreement in their name which resulted in deferring to allow the capital investment subsidy for these Wind Power Projects by the State Level Committee (SLC) held on 10.08.2017 as informed by the Commissioner of Industries, Vijayawada.

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7. In view of the above, the Energy Department has requested for exemption from the requirement of providing registered land lease agreement/land sale agreement in case of revenue lands for the Renewable Energy Power Projects, subject to obtaining necessary undertaking/comfort letter to the Industries Department by NREDCAP being a Nodal Agency for promotion of Renewable Power projects.

8. As per the operational guidelines issued to the Industrial Development Policy 2015-2020 for implementation of industrial development policy & sectoral policies of A.P., vide G.O.Ms.No.108, Ind & Com (P&I) Dept, dt.14.11.2015, the Clause 8.1.3 says that "Sale deed should be registered in the name of Enterprise/ Industry/ Proprietor as the case may be, for sanction of any incentives/concessions."

9. In view of the above, after careful examination of the matter, Government hereby decided to amend para 8.1.3 of Operating Guidelines issued in G.O.Ms.NO.108, Ind. & Com. (P&I) Dept. dt.14-11-2015, to enable the Renewable Power Projects to avail incentives as per the Policies, as requested by the Energy Department.

Amendment

In the said G.O., to paragraph 8.1.3 the following proviso shall be added, namely,-

"Provided that where Government lands are allotted to a Renewable Energy Project company for captive power plants through NREDCAP, the incentives / concessions may be sanctioned to the company subject to confirmation by the NREDCAP."

10. This order is issued with the concurrence of Finance Department.

11. The Commissioner of Industries, Vijayawada and the VC & MD, NREDCAP, Vijayawada shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SOLOMON AROKIARAJ
SECRETARY TO GOVERNMENT & CIP

To
The Commissioner of Industries, Govt. of A.P., Vijayawada.
The VC & MD, NREDCAP, Vijayawada.

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Copy to:

The Energy, I&I Department
The Revenue (Lands) Department
The Revenue (Registration) Department
The Revenue (CT) Department
The Finance (FMU, I&C) Department
The Irrigation & CAD Department
The MA&UD Department.
The LET & F Department.
The EFS&T Department
The VC & MD, APIIC, Vijayawada.
The Law (H) Department.
The TR&B Department.
The MA&UD Department.
All the District Collectors in Andhra Pradesh.
All the GMs, DICs through Commissioner of Industries, Vijayawada.
The Member Secretary, AP Pollution Control Board, Vijayawada.
PS to Principal Secretary to CM, AP Secretariat, Velagapudi.
PS to Minister, Ind. & Com., A.P. Secretariat, Velagapudi.
PS to Principal Secretary to Govt., Energy, I&I Dept., A.P. Secretariat.
PS to Secretary to Govt., & CIP, Ind. & Com. Dept., A.P. Secretariat.
SF/SC.

// FORWARDED BY ORDER //

SECTION OFFICER